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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/608,705	06/30/2000	Chee H. Chew	40062.63US01	2254

23552 7590 07/29/2003

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EXAMINER
KE, PENG

ART UNIT	PAPER NUMBER
2174	

DATE MAILED: 07/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/608,705	CHEW ET AL.	
	Examiner	Art Unit	
	Peng Ke	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *01 May 2003* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-6,8,9 and 13-23* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6,8,9 and 13-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

Claim Rejections - 35 USC § 102

DETAILED ACTION

1. This action is responsive to communications: Amendment, filed on 5/1/03.

This action is final.

2. Claims 1-6,8-10, and13-23 are pending in this application. Claims 1, 8, 17, 19, and 23 are independent claims. In the Amendment, filed on 5/1/03.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in-
>
> (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or
>
> (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

Claims 1-6, 8-10, 13, 14, 16-19, and 21-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Sampson et al.(US 6,490,624)

As per independent claim 1, Sampson et al. teaches in a computing device, a method for determining a starting point for an application when a new user session is started, comprising the acts of:

(a) determining an amount of time since a last interaction with the application (col 8, lines 54-59);

(b) comparing an interval of time to the determined amount of time, the interval of time being associated with a current user session for the application (col 8, lines 54-59); and

(c) when the determined amount of time is greater than the interval of time associated with the current user session for the application, ending the current user session and starting the new user session for the application at the starting point when the application is selected (col 8, lines 54-59).

As per claim 2, which is dependent on claim 1, Sampson et al. teaches the method of Claim 1, wherein each application running on the computing device is associated with a separate current user session and a separate interval of time (col 8, lines 40-53). The examiner is inferring to the fact that user can open up multiple user sessions, which are managed by a group of different session managers.

As per claim 3, which is dependent on claim 1, Sampson et al. teaches the method of Claim 1, wherein the interval of time represents a maximum period of inactivity for the selected application (col 8, lines 54-59).

As per claim 4, which is dependent on claim 1, Sampson et al. teaches the method of Claim 1, wherein the interval of time is editable for each application (col 8, lines 40-52). It is inherent that the administrator can preset the idle time and the general time.

As per claim 5, which is dependent on claim 1, Sampson et al. teaches the method of Claim 1, further comprising:

(a) when a switch for the computing device is transitioned to an on state, determining an amount of time between a last transition of the switch to an off state and a current transition of the switch to the on state (col 8, lines 60-67);

(b) comparing another interval of time to the determined amount of time, the other interval of time being associated with a current user session for the switch (col 8, lines 60-67); and

(c) when the determined amount of time is greater than the other interval of time associated with the current user session for the switch, ending the current user session for the application and starting a new user session for the switch, whereby a selection of the application will cause a selected view to be displayed on the computing device and the new user session to be started for the selected application (col 8, lines 60-67).

As per claim 6, which is dependent on claim 1, Sampson et al. teaches the method of Claim 1, further comprising:

(a) when a switch for the computing device is transitioned to an on state, determining an amount of time between a last automatic transition of the computing device to an off state and a current transition of the switch to the on state (col 8, lines 53-60);

(b) comparing another interval of time to the determined amount of time, the other interval of time being associated with a current user session for the switch (col 8, lines 53-60); and

(c) when the determined amount of time is greater than the other interval of time associated with the current user session for the switch, ending the current user session for the application and starting a new user session for the switch, whereby a selection of the application will cause a selected view to be displayed on the computing device and the new user session to be started for the selected application (col 8, lines 53-60).

As per independent claim 8, Sampson et al teaches in a small computing device, a method for displaying a selected view when a new user session is started for one of a plurality of applications on the small computing device, comprising the acts of:

(a) determining an amount of time since a last selection of the application (col 8, lines 54-59);

(b) comparing the determined amount of time for the application to an interval of time that is associated with a current user session for the application (col 8, lines 54-59);

(c) when the determined amount of time for the application is greater than the interval of time, ending the current user session for the selected application and starting a new user session for the application when the application is selected, wherein the selected view of the selected application is displayed in the new user session (col 8, lines 54-59);

(d) when a switch for the small computing device is transitioned to an on state, determining another amount of time representing a difference between a last transition of the switch to an off state and a current transition of the switch to the on state(col 8, lines 60-65);
(e) comparing another interval of time to the other amount of time, the other interval of time being associated with a current user session for the switch (col 8, lines 60-65); and

(f) when the other amount of time is greater than the other interval of time associated with the current user session for the switch, ending each current user session for each application and starting a new user session for the switch, wherein each selection of any one of the plurality of applications will cause the selected view to be displayed on the small computing device and another new user session to be started for the selected application (col 8, lines 60-65).

As per claim 9, which is dependent on claim 8, Sampson et al. teaches the method of Claim 8, further comprising:

(a) generating a time stamp for each interaction with each application, each time stamp being employed to determine the amount of time since the last interaction (col 9, lines 60-67); and

(b) generating another time stamp for each transition of the switch between the on state and the off state, each other time stamp being employed to determine the amount of time since the last operation of the switch (col 9, lines 60-67).

As per claim 13, which is dependent on claim 8, Sampson et al. teaches the method of Claim 8, wherein each application is associated with a separate selected view (col 9, lines 60-67, and col 10, lines 1-5).

As per claim 14, which is dependent on claim 8, Sampson et al. teaches the method of Claim 13, wherein the selected view is editable for each application (col 8, lines 54-67).

As per claim 16, which is dependent on claim 8, Sampson et al. teaches the method of Claim 8, wherein the switch is a function switch for the small computing device (col 8, lines 54-67).

As per claim 17, which is dependent on claim 8, Sampson et al. teaches a computer readable medium readable by a computing system and encoding a computer program of instructions for executing a computer process for displaying a default state when a new user session is started for an application on the computing system, comprising:

(a) determining an amount of time since a last interaction with the application (col 8, lines 54-59);

(b) comparing an interval of time to the determined amount of time, the interval of time being associated with a current user session for the application (col 8, lines 54-59); and

(c) when the determined amount of time is greater than the interval of time, ending the current user session for the application and starting the new user session for the application when the application is selected, wherein the default state of the application is displayed in the new user session on the computing system (col 8, lines 54-59).

As per claim18, which is dependent on claim 17, Sampson et al. teaches the computer readable medium of Claim 17, further comprising:

(a) determining when a switch for the computing system is transitioned to an on state, wherein an amount of time is calculated for a difference between a last transition of the switch to an off state and a current transition of the switch to the on state (col 8, lines 60-67);

(b) comparing another interval of time to the calculated amount of time, the other interval of time being associated with a current user session for the switch (col 8, lines 60-67); and

(c) when the calculated amount of time is greater than the other interval of time associated with the current user session for the switch, ending the current user session for the application and starting a new user session for the switch, wherein a selection of the application

will cause the default state to be displayed on the computing system and the new user session to be started for the selected application (col 8, lines 60-67).

As per claim 19, which is dependent on claim 17, Sampson et al. teaches a system for communicating between a client process and a server process in a computing device, comprising:
(a) the client process performing actions, including:

(i) determining an amount of time since a last selection of the application (col 8, lines 53-60); and

(ii) when a switch for the computing device is transitioned to an on state, determining another amount of time representing a difference between a last transition of the switch to an off state and the current transition of the switch to the on state (col 8, lines 53-60); and
(b) the server process performing actions, including

(i) comparing the determined amount of time for the application to an interval of time that is associated with a current user session for the application (col 8, lines 60-67);

(ii) when the determined amount of time for the application is greater than the interval of time associated with the current session for the application, ending the current user session and starting a new user session for the application when the application is selected, wherein the server process causes a selected view of the selected application to be displayed in the new user session for the selected application (col 8, lines 60-67);

(iii) comparing another interval of time to the other amount of time, the other interval of time being associated with a current user session for the switch (col 8, lines 60-67); and

(iv) when the other amount of time is greater than the other interval of time associated with the current user session for the switch, ending each current user session for each application

and starting a new user session for the switch, wherein the server process will cause the selected view to be displayed on the computing device and a separate new user session to be started for a selection of any one of a plurality applications on the computing device (col 9, lines 25-35). It is inherent for a session manger to shut down a plurality of application browsers based on general time out.

As per claim 22, which is dependent on claim 19, Sampson et al. teaches the system of Claim 19, wherein the client process generates a time stamp for each interaction with each application and each transition of the switch (col 9, lines 53-67).

As per claim 21, which is dependent on claim 19, it is of the same scope as claim 16. (see rejection above).

As per independent claim 23, Sampson et al. teaches a system for a client-server environment in a computing device, the client performing actions, comprising:

(a) determining an amount of time since a last selection of an application running on the computing device (col 8, lines 53-60);

(b) when a switch for the computing device is transitioned to an on state, determining another amount of time representing a difference between a last transition of the switch to an off state and the current transition of the switch to the on state (col 8, lines 53-60); and

(c) enabling the server to perform actions, including:

(i) comparing the determined amount of time for the application to an interval of time that is associated with a current user session for the application (col 8, lines 53-67);

(ii) when the determined amount of time for the application is greater than the interval of time associated with the current session for the application, ending the current user session and

starting a new user session for the application when the application is selected, wherein the server causes a selected view of the selected application to be displayed in the new user session for the selected application (col 8, lines 53-67);

(iii) comparing another interval of time to the other amount of time, the other interval of time being associated with a current user session for the switch (col 8, lines 53-67); and

(iv) when the other amount of time is greater than the other interval of time associated with the current user session for the switch, ending each current user session for each application and starting a new user session for the switch, wherein the server causes the selected view to be displayed on the computing device and a separate new user session to be started for a selection of any one of a plurality applications on the computing device (col 9, lines 25-35). It is inherent for a session manger to shut down a plurality of application browsers based on general time out.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 15 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sampson et al. (US 6,490,624) in view of the Gerdisch (US 6,480,727)

As per claim 15, which is dependent on claim 8, Sampson et al. teaches the method of Claim 8. However Sampson et al. doesn't teach wherein the switch is a power switch for the small computing device. Gerdisch teaches a power switch for the small computing device (col 2, lines 4-10). It would have been obvious to an artisan at the time of the invention to include Gerdisch's teaching with Sampson et al.'s device in order to provide a method for extending battery life in a subscriber unit.

As per claim 20, which is dependent on claim 19, it is of the same scope as claim 15. (see rejection above)

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sampson et al. (US 6,490,624) in view of the Aguilar et al. (US 6,430,687)

As per claim 10, which is dependent on claim 8, Sampson et al. teaches the method of Claim 8. However Sampson et al. doesn't teach the method further comprising:

(a) associating each application with a separate priority value; and

(b) employing each separate priority value to determine when to stop running each application on the small computing device during a period of inactivity.

Aguilar et al. teaches a method comprising:

(a) associating each application with a separate priority value (col 9, lines 42-49); and

(b) employing each separate priority value to determine when to stop running each application on the small computing device during a period of inactivity. (col 9, lines 45-60). It would have been obvious to an artisan at the time of the invention to include Aguilar et al's teaching with Sampson et al.'s device in order to reduce the likelihood of saturating network capacity.

Allowable Subject Matter

Claims 7, 11, and 12 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Prior art either alone or in combination doesn't show or teach the length of the interval of the interval of time is automatically adjusted in proportion to a frequency of operation of the switch in combination with other features.

Response to Argument

Applicant's arguments filed on 3/6/00 have been fully considered but they are not persuasive.

Applicant's arguments include following:

A. Sampson et al. doesn't disclose starting a new user session for the application at the starting point when the application is selected.

B. Sampson et al. doesn't disclose that each application is associated with a separate current user session and a separate interval of time.

C. Sampson et al. doesn't disclose that an interval of time is editable for each application.

D. Sampson et al. doesn't disclose that each generating time stamps is employed to determine the amount of time since the last application interaction or the last operation of the switch.

E. Sampson et al. doesn't disclose that each application is associated with a separate selected view.

F. Sampson et al. doesn't disclose determining a time interval when an application was last selected or time interval between on and off states of a switch.

Examiner disagrees.

A. In the claims, applicant states ".. starting the new user session of the application at the starting point when the application is selected." In Sampson's reference, logging in is the starting of the application. Therefore Sampson teaches starting a new user session for the application (col. 8, lines 52-59)

B. Sampson et al., in its reference, creates a new session for each individual selection, therefore a separate interval of time is kept for each user section (col. 10, lines 47-60).

C. Sampson et al., in its reference, allows the administrator to edit the time interval for the user section. Therefore the interval of time is editable for each application (col. 8, lines 60-65).

D. Sampson et al., in its reference, generates a log to determine the amount of time since the last application interaction (col. 10, lines 44-46)

E. Sampson et al., in its reference, generates a different display or view for each new Session Manger (col. 16, lines 37-65)

F. Sampson et al., in its reference, records a time interval when an application was last selected or time interval between logging in and off states of an application (col. 9, lines 65-68).

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peng Ke whose telephone number is (703) 305-7615. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, KRISTINE L KINCAID can be reached on (703) 308-0640. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Kristine Kincaid
KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Peng Ke

July 25, 2003